Remarks

As stated above, Applicants appreciate the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the following remarks.

In the subject application, claims 1, 2, and 28-47 are pending, of which claims 1 and 37 are independent claims, and claims 2, 28-36, and 38-47 are dependent. Applicants have amended claims 1 and 37. Applicants respectfully submit that no new matter is believed to have been added as a result of these amendments.

Claim Rejections – 35 U.S.C. § 103

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lineberry et al. (U.S. Patent Application Publication No. 2002/0169649, hereinafter "Lineberry") in view of Zhang et al. (U.S. Patent Application Publication No. 2002/0188542, hereinafter "Zhang") in view of Marpe et al. (U.S. Patent Application Publication No. 2002/0184191, hereinafter "Marpe") in view of Sankaran et al. (U.S. Patent Application Publication No. 2002/0184191, hereinafter " Sankaran ") and further in view of Levy (U.S. Patent No. 7,233,971). Applicants respectfully traverse this rejection.

First, Applicants respectfully submit that the cited references, whether viewed separately or in combination, do not disclose each and every limitation of Applicants' newly amended independent claim 1. Applicants' newly amended independent claim 1 is provided below for the Examiner's convenience:

1. (Currently Amended) A method for facilitating monitoring human resources management information, comprising:

    providing a single logical physically distributed information system across one or more information systems of at least two enterprises;

    providing an individually configurable user interface remotely connected to said single logical physically distributed information system;

    populating said individually configurable user interface with monitoring information applied to planning, managing, and assessing human resources in at least one of an integration, a merger, an acquisition and a spin-off of said at least two enterprises, wherein said monitoring information comprises, planning organizational movement of employees, tracking employees through various rankings, job titles, and locations within at least one enterprise of said at least two enterprises, providing a list of jobs within at least one enterprise of said at least two enterprises, tracking performance levels and promotion requests of said employees, and redeploying resources of at least one enterprise of said at least two enterprises;

    filtering, via a headcount analysis user interface, one or more organizational units of a first enterprise;

    displaying, at the headcount analysis user interface, a headcount of the first enterprise during a specified time period;

    displaying, at the headcount analysis user interface, redeployment _characteristics for a plurality of_ office locations of the at least two enterprises _in a first graph_, the _first_ graph showing a number of open positions, assigned positions, and unassigned positions _for each office location_;

    displaying, at the headcount analysis user interface, _a total_ employee transition status _for the plurality of_ office locations _in a second graph_, the _second_ graph showing a _total_ number of unassigned positions, assigned positions, and open positions _for the plurality of_ office locations; and

    modifying, via a headcount planning module, current headcounts of the first enterprise according to headcount information from a second enterprise. (_See_ Applicant's amended claim 1; emphasis added.)

As indicated, Applicants' newly amended claim 1 is directed toward facilitating human resource management in a merger or acquisition. More specifically, Applicants' newly amended claim 1 is directed towards headcount analysis and modification for the enterprises associated with the merger or acquisition. Support for Applicants' amendment to claim 1 may be found throughout the subject application, as published, and, for example, in paragraph [0095], and

figures 10 and 11. Paragraph [0095], and figures 10 and 11 are provided below for the

Examiner's convenience:

> [0095] Divisions, offices, function, and status views 1713 can be presented in the
> employee redeployment panel as illustrated in FIG. 10. A graph 1715 of the employee
> redeployment per office location can be presented, as shown in FIG. 11. The graph 1715
> can show a number 1714D of positions that are open 1714A, assigned 1714B, or
> unassigned 1714C for a given office location. Another graph 1716 presents the status of
> employee transitions or placements. The transition graph 1716 displays the percentage
> 1717A or number of total positions for a particular status. For example, the number
> 1717C of unassigned positions 1717B is displayed as "232 unassignments", or as 11.8%
> of allocated assignments. (*See* the subject application, as published, paragraph [0095].)
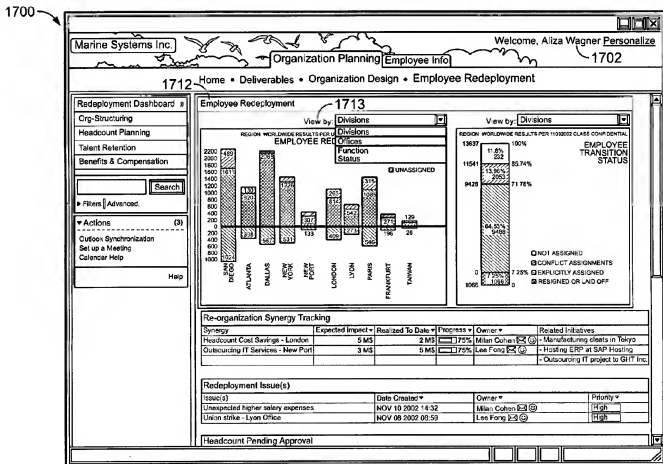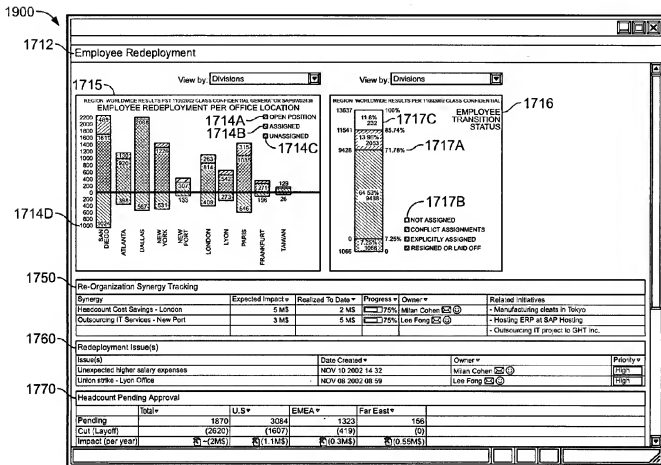

FIG. 10

FIG. 11

Applicants respectfully submit that the cited references do not teach or suggest either of the limitations: (i) "displaying, at the headcount analysis user interface, *redeployment characteristics for a plurality of office locations of the at least two enterprises in a first graph*, the first graph showing a number of open positions, assigned positions, and unassigned positions for each office location [,]" or (ii) "displaying, at the headcount analysis user interface, *a total employee transition status for the plurality of office locations in a second graph*, the second graph showing a total number of unassigned positions, assigned positions, and open positions for the plurality of office locations[,]" as recited in Applicants' newly amended claim 1. *See*

Applicants' amended claim1; emphasis added. Applicants note that in order for the references

cited to render newly amended claim 1 unpatentable under 35 U.S.C. 103, the references cited

must disclose each and every limitation in their entirety.

Applicants also note that the Examiner appears to believe Lineberry, Marpe, and Zhang

do not teach or suggest the "displaying" limitations of Applicants claim 1. Further, the Examiner

appears to believe that the combination of Sankaran and Levy does teach or suggest the

"displaying" limitations of Applicants claim 1. Applicants respectfully disagree, however

Applicants have amended independent claim 1 to clarify the subject matter which Applicants

regard as the invention, and more clearly distinguish the claims of the subject application from

Sankaran and Levy. Applicants respectfully submit that the cited passages of Sankaran and Levy

do not teach or suggest the "displaying" limitations of Applicants' amended independent claim 1.

For example, the Examiner appears to believe that Sankaran teaches or suggests the

"displaying" limitations, at least in part, at paragraph [0054] of Sankaran. *See* the subject action,

page 8. Applicants respectfully disagree with this characterization. Paragraph [0054] of

Sankaran is provided below for the Examiner's convenience:

> [0054] The SpendCap application, as will be hereinafter described in greater detail, is easily configured through use of a configuration functionality preferably implemented via a configuration tab. **The areas for setup and configuration include departments, users, spending accounts, models, business drivers, currency management, cycle settings and spreading methodology.** In this area of the application, users that have been setup with admin capability can add and delete departments, users, accounts, headcount categories and types. They can also assign users the responsibility of departments and can facilitate a re-organization by moving departments to report into other departments. Departments are also customized as shown in FIG. 7 to have spending accounts that are relevant, to that part of the organization. Business drivers such as salary related rates and headcount types are determined and setup using the configuration tab. (*See* Digate, as published, paragraph [0054]; emphasis added.)

At best Sankaran discloses that "[t]he areas for setup and configuration include departments, users, spending accounts, models, business drivers, currency management, cycle settings and spreading methodology". *See* Sankaran, paragraph [0054]. Applicants note that "redeployment characteristics for a plurality of office locations" and "total employee transition status for the plurality of office locations" are not features shown in this portion of paragraph [0054]. Applicants are unable to find reference to either of these features, with respect to the "displaying" limitations above, in Sankaran, Levy, or any of the cited references. Therefore, Applicants respectfully submit that the cited references do not teach or suggest at least the limitations (i) "displaying, at the headcount analysis user interface, *redeployment characteristics for a plurality of office locations of the at least two enterprises in a first graph*, the first graph showing a number of open positions, assigned positions, and unassigned positions for each office location [,]" and (ii) "displaying, at the headcount analysis user interface, *a total employee transition status for the plurality of office locations in a second graph*, the second graph showing a total number of unassigned positions, assigned positions, and open positions for the plurality of office locations [,]" as recited in Applicants' newly amended claim 1.

As such, Applicants respectfully submit that claim 1 of the subject application is in condition for allowance. Further, Applicants have amended claim 37 to include limitations similar to that of claim 1. Therefore, Applicants respectfully submit that claim 37 is in condition for allowance as well. Since the remaining claims depend, either directly or indirectly, from claims 1 or 37, Applicants respectfully submit that those claims are also in condition for allowance. Withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

Having overcome all of the outstanding rejections, Applicants respectfully submit that the subject application is now in condition for allowance. Applicants believe that all of the pending

claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

In light of the above remarks, Applicants respectfully assert that the subject application is in condition for allowance. While Applicants respectfully assert that the subject application is now in condition for allowance, the Examiner is invited to telephone Applicant's attorney (617-305-2129) to facilitate prosecution of this application. Please apply any charges or credits to deposit account 50-2324.

Respectfully submitted,

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